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PATENT  
Attorney Docket No 97-823

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this Information Disclosure Statement and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, 5/7/99, with sufficient postage as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Lin B. Olsen  
(typed or printed name of person mailing paper)

Lin B. Olsen  
(Signature of person mailing paper)

In re Application of:

**Andrew Fransman, et al.**

Serial No.: **09/204,523**

Filed: **Dec. 3, 1998**

Group Art Unit: **2711**

Examiner: Unassigned

For: **METHOD AND APPARATUS FOR NEAR VIDEO ON DEMAND**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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**MAY 11 1999**

**Group 2700**

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. Copies of the listed documents are attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines

that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed before receipt of a first Office Action on the merits for the above-referenced application. Should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule 17(p) fee to our Deposit Account No. 07-2339 and proceed to consider this Information Disclosure Statement.

Respectfully submitted,

By: 

W. Eric Webostad  
Reg. No. 35,406

Date: 5-6-99

GTE Service Corporation  
HQE03G13  
600 Hidden Ridge  
Irving, TX 75038  
781/466-4016 or 972/718-4741